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*Intellectual Property Law*

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\*Admitted only in states indicated

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

**FACSIMILE TRANSMISSION COVER SHEET**

DATE: April 22, 2004

TO: Examiner: Frank I. CHOI  
Group Art Unit 1616  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RE: U.S. Patent Application No. 09/761,561  
For: MICROBICIDAL FORMULATIONS AND METHODS TO CONTROL  
MICROORGANISMS  
Our Ref.: 3731-002

FROM: Luke A. Kilyk, Esq. *by*

FAC. TEL. NO.: 1-703-872-9306

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OIP/E/JCWS

**NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 19**

Items Attached: Request for Reconsideration -- 7 pages  
Ringbom, A., & Harju L., *Anal. Chim. Acta.*, 59, 33 (1972) -- 8 pages  
Petition for a 3 Month Extension of Time -- 1 page  
Fee Transmittal Sheet -- 1 page  
Credit Card Payment Form -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on April 22, 2004.

Donald Prater

Name of Person Signing Certificate

*Donald S. Prater*  
Signature

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 475.00)

## Complete if Known

Application Number	09/761,561
Filing Date	January 17, 2001
First Named Inventor	BATARSEH et al.
Examiner Name	Frank I. CHOI
Art Unit	1618
Attorney Docket No.	3731-002

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None Deposit Account

50-0925

Deposit Account Number  
Deposit Account Name  
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The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee  
 to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	180	2005	80	Provisional filing fee	

## SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	-20**=	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20**=	X	=	
Multiple Dependent	-3**=	X	=	

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

## SUBTOTAL (2) (\$)

\*\* or number previously paid, if greater; For Reissues, see above

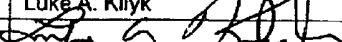
## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	475.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	185	Notice of Appeal	
1402	330	2402	185	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1463	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2601	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 475.00)

SUBMITTED BY					
Name (Print/Type)			Complete if applicable		
Luke A. Kilyk		Registration No. (Attorney/Agent)	33,251	Telephone	1-540-428-1701
Signature				Date	April 22, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Donald Prater  
Name (Print)

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Donald Prater  
Name (Print)

*Donald S. Prater*  
Signature

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APR 22 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: BATARSEH et al.	)	Examiner: Frank I. CHOI
Application No.: 09/761,561	)	Group Art Unit: 1616
Filed: January 17, 2001	)	Confirmation No.: 5927
Docket No.: 3731-002	)	Customer No.: 33432

For: MICROBICIDAL FORMULATIONS AND METHODS TO CONTROL MICROORGANISMS

**OFFICIAL**

**PETITION FOR EXTENSION OF TIME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

April 22, 2004

Sir:

Applicants petition the Commissioner of Patents and Trademarks to extend the time for response, from the Notice of Appeal dated December 2, 2003, for 3 months, from February 2, 2004 to May 2, 2004.

Enclosed is a Credit Card Payment Form that includes the amount of \$475.00 to cover the cost of the extension fee for a small entity. In the event that any additional fees are due in connection with this paper, please charge such fees to Deposit Account No. 50-0925.

Respectfully submitted,

*Luke A. Kilyk*  
Luke A. Kilyk  
Reg. No. 33,251

Atty. Docket No. 3731-002  
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